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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/722,890	11/27/2000	Henry F. Lada	COMP.0130 (P00-3123)	6089

7590 01/26/2004

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EXAMINER

VU, TRISHA U

ART UNIT	PAPER NUMBER
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2112

DATE MAILED: 01/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/722,890

Applicant(s)

LADA ET AL.

Examiner

Trisha U. Vu

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--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 05 January 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attached.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: 1-31.

Claim(s) withdrawn from consideration: _____

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
10. ☐ Other: _____


SUMATI LEFKOWITZ
PRIMARY EXAMINER

Trisha U. Vu
Examiner
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Response to Arguments

Applicant's arguments filed 01-05-04 have been fully considered but they are not persuasive:

With respect to Applicant's argument on page 11 of the Remarks that "Those skilled in the art would not correlate the mother board 10 and daughter board 20 of a personal computer system, as disclosed in Harari, with the main unit and option pack of a personal digital assistant", it is brought to the Applicant's attention that Harari discloses the computer systems includes personal digital assistant (PDA) (col. 12, lines 43-47).

With respect to Applicant's argument regarding claims 1 and 24 on page 11 of the Remarks that "the applications and drivers ***are not downloaded*** to the mother card 10. As clearly stated in the Harari reference, any applications and/or drivers ***are simply read*** or made accessible by the mother board", it is noted that the mother card has the intelligence to move/copy blocks of files (software, microcode, or data) into and out of the daughter card (col. 9, lines 15-27 and col. 10, lines 48-52), therefore, applications/drivers on the daughter card are downloaded to the mother card. Harari also discloses configuration and device specific information (such as format and file structure) (driver) stored in the daughter card can be downloaded into the mother card to customize it for appropriate operation (col. 8, lines 51-55). Thus the rejection is proper.

With respect to Applicant's argument regarding claim 17 on pages 12-13 of the Remarks, Harari teaches downloading the applications and drivers from the option pack to the main unit (as addressed above regarding claims 1 and 24). In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be

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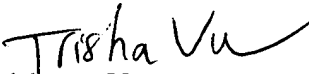
established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). The combination, set forth above, would have been obvious because an ordinary skill in the art would implement including applications and drivers in the option pack to be downloaded to the main unit as taught by Harari in the system of Postman to add more functions/programs to the system at any time, therefore expanding the system's functionality. Thus, a reasonable motivation provided by the examiner set forth above is proper.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trisha U. Vu whose telephone number is 703-305-5959. The examiner can normally be reached on Mon-Thur and alternate Fri from 7:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 703-305-4815. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.


Trisha U. Vu
Examiner
Art Unit 2112

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SUMATI LEFKOWITZ
PRIMARY EXAMINER